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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,444	03/15/2004	Lester Chu	66703-0014	1779
10/291 7590 12/03/2010 RADER, FISHMAN & GRAUER PLLC 39533 WOODWARD AVENUE SUITE 140 BLOOMFIELD HILLS, MI 48304-0610				
EXAMINER ROSEN, NICHOLAS D				
ART UNIT PAPER NUMBER 3625				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LESTER CHU, EDWIN HARADA, DOUGLAS HEATHERLY,
TIMOTHY MAHONEY, JAMES MESSINA, and JAMES PALMA

Appeal 2010-003625
Application 10/800,444
Technology Center 3600

Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER DISMISSING APPEAL

On August 7, 2007, Appellants filed a Notice of Appeal. On September 9, 2009, Appellants filed a request to reopen prosecution, exercising their option to reopen prosecution in response to a new ground of rejection contained in the Examiner's Answer mailed on July 9, 2009. Per 37 C.F.R. § 41.39(b)(1), this request is treated as a request to withdraw the appeal.

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

mls

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